



February 17, 2026

Senate Bill 387

Food Retailers - Dynamic Pricing, Surveillance Data, and Collective Bargaining Agreements (Protection From Predatory Pricing Act)

Senate Finance Committee

Position: FAVORABLE

Anne Arundel County **SUPPORTS** Senate Bill 387 – Food Retailers - Dynamic Pricing, Surveillance Data, and Collective Bargaining Agreements (Protection From Predatory Pricing Act).

This Bill will prohibit food retailers from engaging in the practice of dynamic pricing or using consumer surveillance data to set a price for consumer goods or services. It also protects consumers from protected class data being used by food retailers in circumstances that have the effect of withholding or denying from the consumers an accommodation, an advantage, or a privilege accorded to others. In addition, it prohibits a food retailer from diminishing or impairing any right or benefit guaranteed to employees of the food retailer under an existing collective bargaining agreement or memorandum of understanding.

As grocery stores transition to electronic shelf labels (ESLs) that display digital price tags to reduce cost and labor of manually updating price tags, the use of ESLs also enables retailers to achieve dynamic pricing and exploitation of sensitive consumer data to target consumers with instant price change during the day. Addressing affordability issues for our county residents is a top priority. Residents should not have to pay more than what they have already budgeted for halfway through their grocery trip just because the only time they can go shopping is at a high demand time. Furthermore, price surging disproportionately hurts our financially vulnerable residents the most as it has a compounding effect on their household expenditures. Although some US retailers said they have no plans to use ESLs for dynamic pricing, this Bill is necessary as a precautionary measure to protect consumers.

Senate Bill 387 takes a significant step towards protecting consumers. For those reasons, I respectfully ask for a **FAVORABLE** report on Senate Bill 387.

A handwritten signature in blue ink, appearing to read "Steuart Pittman".

Steuart Pittman
County Executive